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13 **UNITED STATES DISTRICT COURT**

14 **DISTRICT OF NEVADA**

15 BANK OF AMERICA N.A.,

16 Plaintiff,

17 vs.

18 WOODCHASE CONDOMINIUMS  
19 HOMEOWNERS ASSOCIATION; HAMPTON  
20 & HAMPTON COLLECTIONS LLC,

21 Defendants.

Case No.: 3:17-cv-00462-MMD-VPC

**STIPULATION AND ORDER OF FINAL  
JUDGMENT AND QUIET TITLE; AND  
FOR DISMISSAL WITH PREJUDICE**

22 Plaintiff Bank of America N.A. (**BANA**) and defendant Woodchase Condominiums  
23 Homeowners Association (**Woodchase**), being the only parties to have appeared in this action,  
24 through their counsel of record, stipulate as follows:

25 1. This matter relates to real property located 7680 Bluestone Drive, #402, Reno, Nevada  
26 89511, APN 164-092-07 (the "Property"). The property is more specifically described by the legal  
27 description attached here as **Exhibit A**.

28 2. BANA is the servicer and beneficiary of record of a Deed of Trust that encumbers the  
Property and was recorded on August 24, 2007, as Document Number 3569181 in the Official  
Records of Washoe County, Nevada (the **Deed of Trust**).

3. On April 10, 2013, Woodchase recorded a Trustee's Deed Upon Sale as Document  
Number 4224881 of the Official Records of Washoe County, Nevada (the **HOA Foreclosure Deed**),

1 reflecting that Woodchase purchased the Property at a foreclosure sale of the Property held April 2,  
2 2013 (the **HOA Sale**).

3 4. On August 2, 2017, BANA initiated a quiet title action against Woodchase and  
4 Hampton & Hampton Collections LLC (**Hampton**) in the United States District Court, District of  
5 Nevada, Case No. 3:17-cv-00462 (the **Quiet Title Action**).

6 5. BANA's Complaint [ECF No. 1] in the Quiet Title Action asserted causes of action  
7 against the HOA for: (1) Quiet Title/Declaratory Judgment; (2) Breach of NRS 116.1113; (3)  
8 Wrongful Foreclosure; and (4) Injunctive Relief (the **Complaint**).

9 6. BANA and Woodchase have entered a settlement agreement in which they have settled  
10 all claims between them in this case.

11 7. Among other things, Woodchase has transferred all interest it acquired as a result of the  
12 HOA Sale and HOA Foreclosure Deed to BANA.

13 8. Among other things, the parties agree that title to the Property is quieted in BANA's  
14 favor. Woodchase disclaims all right, title, or interest in the Property as a result of the HOA Sale  
15 and the HOA Foreclosure Deed, except for its ongoing rights under Nevada law, including NRS 116,  
16 and the governing documents, including the Covenants, Conditions and Restrictions (**CC&Rs**).

17 9. The Complaint is dismissed with prejudice as to Woodchase, with each party to bear  
18 their own fees and costs.

19 10. BANA's claims against Hampton & Hampton Collections LLC are dismissed without  
20 prejudice pursuant to Rule 41(A)(1).

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Wherefore, the undersigned request this Court enter an Order granting the above stipulation.

DATED this 2<sup>nd</sup> day of March, 2018

**AKERMAN LLP**

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DATED this 2<sup>nd</sup> day of March, 2018

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*Attorney for Defendant Woodchase  
Condominiums Homeowners  
Association*

**IT IS SO ORDERED.**



UNITED STATES DISTRICT JUDGE

DATED: March 5, 2018

## **Exhibit A**

### **Parcel 1:**

Unit 402, Building Z, Block C of Waterford Park Unit No. 2, as shown on the Official Map thereof, Tract No. 2209, recorded in the office of the County Recorder of Washoe County, Nevada, on November 19, 1984 as Document No. 962954, Official Records, and amended by Certificate of Amendment recorded November 21, 1985 in Book 2255, Page 377, Official Records as Document No. 1035742.

### **Parcel 2:**

An undivided 1/324th interest in the Common Elements as shown on the map of Waterford Park Unit 3-A, as shown on the official map thereof, recorded in the office of the County Recorder of Washoe County, Nevada on April 25, 1984 as Document No. 920751, Official Records, and as shown on Tract Map No. 2162; and Waterford Park Unit No. 2, as shown on the Official Map thereof, Tract No. 2209, recorded in the office of the County Recorder of Washoe County, Nevada, on November 19, 1984 as Document No. 962954, Official Records, and amended by Certificate of Amendment recorded November 21, 1985 in Book 2255, Page 377, Official Records as Document No. 1035742; and

TOGETHER WITH those portions of Bluestone Drive and Portman Avenue acquired from the City of Reno by Quitclaim Deed recorded June 4, 1985 in Book 2348, Page 504 as Document No. 1075909 of Official Records, described as follows:

That portion of Bluestone Drive, as shown on the Official Plat for Waterford Park Unit No. 2, Reno, Washoe County, Nevada, Official Records of Washoe County, Nevada, filed November 19, 1984 as File No. 962954, described as follows:

Beginning at the intersection of the Southerly line of Kingston Lane (a private street) and the Westerly line of Bluestone Drive, as shown on the Official Plat for said Waterford Park Unit No. 2;

THENCE S. 15°03'00" W. 30.00 feet to the True Point of Beginning;

Thence along the arc of a 120.00 foot radius curve to the right, through a central angle of 75°00'00", an arc length of 157.08 feet;

Thence from a tangent which bears S. 89°57'00" E. along the arc of a 280.00 foot radius curve to the right, through a central angle of 10°41'02", an arc length of 52.21 feet;

Thence S. 79°15'58" E. 19.10 feet;

Thence along the arc of a 20.00 foot radius curve to the left, through a central angle of 85°41'02", an arc length of 29.91 feet; thence N. 15°03'00" E. 85.78 feet to the True Point of Beginning.

That portion of Portman Avenue, as shown on the Official Plat for Waterford Park Unit No. 2, Reno, Washoe County, Nevada, Official Records of Washoe County, Nevada, filed November 19, 1984 as File No. 962954, described as follows:

Beginning at the intersection of the Southerly line of Kingston Lane (a private street) and the Westerly line of Bluestone Drive, as shown on the Official Plat for said Waterford Park Unit No. 2;

Thence S.  $15^{\circ}03'00''$  W. 30.00 feet, thence S.  $74^{\circ}57'00''$  E. 60.00 feet to a point on the Easterly line of said Bluestone Drive; thence from a tangent which bears S.  $15^{\circ}03'00''$  W. along the arc of a 120.00 foot radius curve to the right, through a central angle of  $19^{\circ}55'44''$ , an arc length of 62.61 feet;

Thence along the arc of a 20.00 foot radius curve to the left, through a central angle of  $82^{\circ}57'49''$ , an arc length of 28.96 feet;

Thence, along the arc of a 120.00 foot radius curve to the left, through a central angle of  $00^{\circ}42'55''$ , an arc length of 1.50 feet to the True Point of Beginning;

Thence continuing along the arc of last said curve to the left, through a central angle of  $39^{\circ}56'08''$ , an arc length of 83.64 feet;

Thence from a tangent which bears N.  $88^{\circ}38'08''$  W. along the arc of a 225.00 foot radius curve to the right, through a central angle of  $09^{\circ}22'10''$ , an arc length of 36.79 feet;

Thence N.  $79^{\circ}15'58''$  W. 24.02 feet;

Thence along the arc of a 20.00 radius curve to the right, through a central angle of  $84^{\circ}28'45''$ , an arc length of 29.49 feet to the True Point of Beginning.

EXCEPTING THEREFROM all that portion conveyed to the City of Reno, as set forth in a Deed of Dedication recorded June 3, 1996 in Book 2347, Page 871 as Document No. 1075654 of Official Records, described as follows:

That portion of Block "D" of Waterford Park Unit No. 2, Reno, Washoe County, Nevada, as shown on the Official Plat thereof, Official Records of Washoe County, Nevada, filed November 19, 1984 as File No. 962954, described as follows:

Beginning at the intersection of the Southerly line of Kingston Lane (a private street), and the Westerly line of Bluestone Drive as shown on the Official Plat for said Waterford Park Unit No. 2, thence S.  $15^{\circ}03'00''$  W. 30.00 feet; thence along the arc of a 120.00 foot radius curve to the right, through a central angle of  $75^{\circ}00'00''$ , an arc length of 157.08 feet; thence S.  $0^{\circ}03'00''$  W. 60.00 feet to the true point of beginning, said point on the Southerly line of said Bluestone Drive;

Thence, from a tangent which bears S.  $89^{\circ}57'00''$  E. along the arc of a 180.00 foot radius curve to the left, through a central angle of  $25^{\circ}59'21''$ , an arc length of 81.65 feet; thence, along the arc of

a 20.00 foot radius curve to the right; through a central angle of 71°42'52", an arc length of 25.03 feet;

Thence along the arc of a 180.00 foot radius curve to the left, through a central angle of 10°51'15", an arc length of 34.10 feet; thence N. 88°38'08" W. 44.25 feet; thence N. 79°15'58" W. 15.75 feet; thence along the arc of a 225.00 foot radius curve to the left, through a central angle of 10°41'02", an arc length of 41.96 feet; thence N. 89°57'00" W. 26.51 feet to the True Point of Beginning.

That portion of Block "C" of Waterford Park Unit No. 2, Reno, Washoe County, Nevada, as shown on the Official Plat thereof, Official Records of Washoe County, Nevada, filed November 19, 1984 as File No. 962954, described as follows:

Beginning at the intersection of the Southerly line of Kingston Lane (a private street) and the Westerly line of Bluestone Drive, as shown on the Official Plat for said Waterford Park Unit No. 2; thence S. 15°03'00" W. 30.00 feet; thence S. 74°57'00" E. 60.00 feet to the True Point of Beginning; said point being on the Easterly line of said Bluestone Drive; thence, from a tangent which bears S. 15°03'00" W. along the arc of a 180.00 foot radius curve to the right, through a central angle of 19°55'44", an arc length of 62.61 feet; thence along the arc of a 20.00 foot radius curve to the left; through a central angle of 82°57'49", an arc length of 28.96 feet; thence along the arc of a 120.00 foot radius curve to the left, through a central angle of 0°42'55", an arc length of 1.50 feet; thence from a tangent which bears N. 5°12'47" E. along the arc of a 20.00 foot radius curve to the right, through a central angle of 9°50'13", an arc length of 3.43 feet; thence N. 15°03'00" E. 83.25 feet to the True Point of Beginning.

ALSO EXCEPTING THEREFROM all that portion conveyed to the State of Nevada, as set forth in a Deed, recorded April 30, 1987 in Book 2541, Page 601 as Document No. 1159339, of Official Records, described as follows:

Beginning at an intersection with the Easterly boundary line of Parcel "1" as shown on Parcel Map No. 768, filed in the office of the County Recorder of Washoe County, State of Nevada, on January 16, 1979 as Document No. 582851 of Official Records of Washoe County, Nevada and the right or Easterly right-of-way line of US-395 (Project QF-395-2-(13)), 760.27 feet right of and at right angles to Highway engineer's State "P4" 671 + 35.54 P.O.T.; said point of beginning further described as bearing N. 25°44'26" W. a distance of 1416.39 feet from the Southeast corner of Section 6, T. 18 N., R. 20 E., M.D.B.M.; thence S. 2°04'43" W. along said boundary line a distance of 71.41 feet to a point on the Southerly boundary line of said Parcel "1".

Thence S. 69°39'46" W. along said boundary line a distance of 408.18 feet to a point on the Westerly boundary line of said Parcel "1"; thence N. 20°15'33" W. along said boundary line a distance of 422.22 feet to an intersection with the right or Easterly right-of-way line of said US-395; thence from a tangent which bears N. 76°38'05" E. curving to the right along said right-of-way line with a radius of 425 feet, through an angle of 43°49'52" an arc distance of 325.12 feet to a point; thence S 59°32'03" E. along said right-of-way line a distance of 184.49 feet to a point; thence from a tangent which bears the last described course curving to the right along said right-

of-way line with a radius of 400 feet, through an angle of  $10^{\circ}22'34''$  an arc distance of 72.44 feet to the Point of Beginning.

FURTHER EXCEPTING THEREFROM, that portion of Waterford Park Unit No. 2 Reno, Washoe County, Nevada, which is described as follows: Parcel B as shown on Parcel Map No. 4441 recorded in the office of the County Recorder of Washoe County, Nevada on August 18, 2005, as Document No. 3263121, Official Records.

**Parcel 3:**

Exclusive easements in and to the Limited Common Elements as described in the Declaration which are appurtenant to the Unit described as Parcel 1 above.

**Parcel 4:**

A permanent easement and right of way for ingress and egress over, across and through Kingstone Lane, a private road, as said road is set forth on the Condominium Maps #2085 & 2126 of Waterford Park Unit 1 and Amended Waterford Park Unit 1, filed in the office of the County Recorder of Washoe County, Nevada on April 29, 1983 as Document No. 852187 and on November 9, 1983 as Document No. 890268, respectively, granted to LINCOLN WATERFORD LIMITED PARTNERSHIP, a Nevada limited partnership, by an "Easement" recorded November 19, 1984 in Book 2095, Page 909 as Document No. 962958, Official Records, described as follows:

Commencing at the E.  $1/4$  corner of Sec. 6, T. 18 N., R. 20E., M.D.M., and said corner lying on the Southerly boundary of Huffaker Hills-Unit No. 3" Subdivision as shown on Tract Map No. 1755, Official Records of Washoe County, Nevada;

Thence N.  $89^{\circ}57'00''$  W. a distance of 457.53 feet to the Westerly right-of-way of Bluestone Drive and also being the Northeast corner of Waterford Park Unit No. One;

Thence continuing along the Westerly right-of-way of Bluestone Drive and the Easterly boundary of Waterford Park Unit No. 1, S.  $15^{\circ}03'00''$  W. a distance of 301.15 feet to the Northeast corner of Kingston Lane and also the True Point of Beginning;

Thence continuing along the Westerly right-of-way of Bluestone Drive and the Easterly boundary of Waterford Park Unit No. 1, a distance of 24.00 feet to the Southeast corner of Kingston Lane and the Southeast corner of Waterford Park Unit No. 1;

Thence N.  $74^{\circ}57'00''$  W. a distance of 78.34 feet to a concave curve whose central angle is  $22^{\circ}14'35''$  having a radius of 112.00 feet and a length of curve of 43.48 feet;

Thence N.  $52^{\circ}42'25''$  W. a distance of 203.11 feet to a tangent point on a convex curve whose central angle is  $37^{\circ}14'35''$  having a radius of 63.00 feet and a length of curve of 40.95 feet;

Thence N.  $89^{\circ}57'00''$  W. a distance of 36.73 feet to a convex curve whose central angle is  $90^{\circ}00'00''$  having a radius of 15.00 feet and a curve length of 23.56 feet to the Southwest corner of Kingston Lane and a point on the Easterly right-of-way of Patriot Boulevard and the Westerly boundary of Waterford Park Unit No. 1; the last six courses describing the Southerly boundary of Kingston Lane and the Southerly boundary of Waterford Park Unit No. 1;

Thence N.  $00^{\circ}03'00''$  E. a distance of 54.00 feet along the Easterly right-of-way of Patriot Boulevard and the Westerly boundary of Waterford Park Unit No. 1 to a point on a concave curve whose central angle is  $90^{\circ}00'00''$  having a radius of 15.00 feet and a curve length of 23.56 feet;

Thence S.  $89^{\circ}57'00''$  E. a distance of 36.73 feet to a convex tangent curve whose central angle is  $37^{\circ}14'35''$  having a radius of 87.00 feet and a curve length of 56.55 feet;

Thence S.  $52^{\circ}42'25''$  E. a distance of 203.11 feet to a tangent concave curve whose central angle is  $22^{\circ}14'35''$  having a radius of 88.00 feet and a curve length of 34.16 feet;

Thence S.  $74^{\circ}57'00''$  E. a distance of 78.34 feet to the True Point of Beginning; the last six courses describing the Northerly boundary of Kingston Lane.

Note: The above metes and bounds description appeared previously in that certain document recorded September 29, 2004 as Document No. 3105711.

APN: 164-092-07